THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.11921 OF 2005

Dt.19.12.2005

Between:

Soorisetti Nageswara Rao … Petitioner

And

The Govt. of A.P., rep. by its Principal Secretary
(Irrigation), Secretariat, Hyderabad
and another. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Irrigation and Command Area Development.

The petitioner seeks writ of mandamus declaring G.O.Rt. No.501 dated 23.4.2005 issued by the first respondent in ordering the stay of elections to the Water Users Association, Pidurupalem, Manubolu Mandal, Nellore District as illegal and arbitrary and consequently direct the respondents to conduct elections to the society based on the voters' list published on 4.4.2005.

The learned Government Pleader appearing on behalf of the respondents submits that in fact the orders passed in the said G.O.Rt.No.501 dated 23.4.2005 postponing the elections have been vacated directing to conduct elections by issuing orders in

G.O.Rt.No.683 Irrigation & Command Area Development (General.IV) Department dated 9.6.2005 and pursuant to the said orders of the Government, election schedule has been notified on 29.11.2005 for conducting elections afresh.

The learned counsel for the petitioner submits that in so far as Pidurupalem is concerned, the voters' list was already published on 4.4.2005 and pursuant to the orders of the Government vacating the earlier orders, the election process shall continue from where it was stopped with the same voters list.

I am not inclined to express any opinion as to whether the earlier voters list has been changed or not. If that be so, it is always open for the petitioner to question the action of the respondents if elections are not conducted pursuant to the earlier voters list and pursuant to the election notification issued earlier. However, in view of the fact that the Government has vacated the earlier orders postponing the elections, no further relief requires to be granted in this writ petition.

The writ petition is accordingly closed. No costs.

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(V.ESWARAIAH, J.)

19.12.2005

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